



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby appoint:

☒ Practitioners associated with the Customer Number: 46795

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Assignee Name and Address:

MONSANTO TECHNOLOGY, L.L.C.

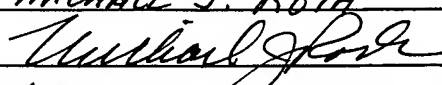
800 North Lindbergh Boulevard

St. Louis, Missouri 63167

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

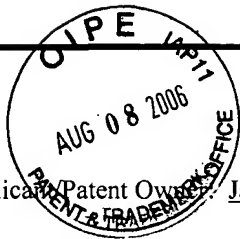
### SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	MICHAEL J. ROTH		
Signature		Date	7 DECEMBER 2004
Title	ASSISTANT GENERAL COUNSEL	Telephone	314-694-1588

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

STATEMENT UNDER 37 CFR 3.73(B)Applicant/Patent Owner: James D. Masucci et al.Application No./Patent No. 10/660,208Filed/Issue Date: September 11, 2003Entitled: PLANT REGULATORY SEQUENCES FOR SELECTIVE CONTROL OF GENE EXPRESSIONMONSANTO TECHNOLOGY, L.L.C., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (*Le.*, a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.081

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Robert E. Hanson (Reg. No.: 42,628)

Printed or Typed Name

Attorney

Title

August 4, 2006

Date

(512) 474-5201

Telephone Number

MONS:118USD1

File Code

**ASSIGNMENT**

WHEREAS, I/WE, the undersigned, have made certain invention or inventions which are disclosed in patent application(s) and/or provisional patent application(s) entitled:

PLANT REGULATORY SEQUENCES FOR SELECTIVE CONTROL OF GENE EXPRESSION

identified as Docket Number 38-21 (15678) and filed on \_\_\_\_\_; and

WHEREAS, **Monsanto Technology LLC**, of St. Louis, Missouri, a Corporation of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor;

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, I/WE do hereby sell, assign and transfer to said Monsanto Technology LLC, its successors and assigns, the entire right, title and interest in and to said invention or inventions, in any form or embodiment thereof, and in and to said application(s); and in and to any and all applications filed in any country based thereon, including the right to file applications in countries other than the country of priority filing under the provisions of any international convention; also in and to any and all improvements on said invention or inventions now or hereafter made by me/us as employee(s), agent(s) or contractor(s) of said Monsanto Technology LLC; also the entire right, title and interest in and to any and all patents, including reissues and extensions thereof, to be obtained in any country upon said invention, inventions or improvements, and any and all continuing applications, including divisional, continuation and continuation-in-part applications, substitute applications, and applications claiming benefit of an earlier filed provisional application, which may be filed upon said invention, inventions or improvements in any country; and

I/WE hereby authorize and request the issuing authority to issue any and all patents on said application or applications to said Monsanto Technology LLC, as assignee of the entire interest.

I/WE further agree, without any payment by Monsanto Technology LLC other than in reimbursement of reasonable expenses I/we may incur, to communicate to said Monsanto Technology LLC, its representatives or agents, any facts relating to said invention, inventions or improvements, including evidence for purposes of interference, opposition or other legal proceedings, whenever requested; testify in any interference, opposition or other legal proceedings, whenever requested; and execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective.

IN TESTIMONY WHEREOF, I/WE have hereto set our hands on the dates set after our signatures.

Signature: *J D M*

Date: 5/1/01

Name: James D. Masucci

City and state or country of residence: Manchester, Missouri

State of Missouri }

ss.

County of St. Louis }

On this 1st day of May, 2001, before me personally appeared James D. Masucci, to me known to be the person who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.

(seal) *Cindy A. Hauser*  
Notary Public or Consular Officer

My Commission expires April 23, 2002

Signature: *Marianne Malven*

Date: 5-1-01

Name: Marianne Malven

City and state or country of residence: Ellisville, Missouri

State of Missouri }

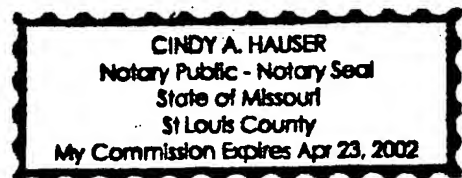
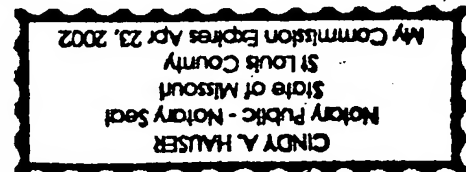
ss.

County of St. Louis }

On this 1st day of May, 2001, before me personally appeared Marianne Malven, to me known to be the person who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.

(seal) *Cindy A. Hauser*  
Notary Public or Consular Officer

My Commission expires April 23, 2002



Signature: \_\_\_\_\_

Timothy W. Conner

Date: \_\_\_\_\_

5/1/01

Name: Timothy W. Conner

City and state or country of residence: Wildwood, Missouri

State of Missouri }

ss.

County of St. Louis }

On this 1st day of May, 2001, before me personally appeared Timothy W. Conner, to me known to be the person who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.

(seal)

Judith A. Lorenz  
Notary Public or Consular Officer

JUDITH A. LORENZ  
Notary Public - State of Missouri  
St. Louis County

My Commission Expires: November 20, 2003

My Commission expires \_\_\_\_\_

Signature: \_\_\_\_\_

Patrice Dubois

Date: \_\_\_\_\_

4/30/01

Name: Patrice Dubois

City and state or country of residence: Richmond Heights, Missouri

State of Missouri }

ss.

County of St. Louis }

On this 30th day of April, 2001, before me personally appeared Patrice Dubois, to me known to be the person who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.

(seal)

Nicole M. Arendall  
Notary Public or Consular Officer

My Commission expires 4/8/02

NICOLE M. ARENDALL  
Notary Public Notary Seal  
STATE OF MISSOURI  
ST. LOUIS CITY  
MY COMMISSION EXP. APR. 8, 2002